

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

DONNA WENCH,
Defendant,

and

BARNES & NOBLE INC.,
Garnishee.


1:CV-00-1414

(Judge Caldwell)

ANSWER OF THE GARNISHEE

FILED

SEP 02 2003



Francine Charist, being duly sworn, deposes and says:
(Affiant)

If Garnishee is an Individual:

That he/she is Garnishee herein doing business in the name of

(State full name and address of business)

If Garnishee is a Partnership:

That he/she is a member of a partnership composed of which Garnishee is a partner.

If Garnishee is a Corporation:

That he/she is the (Official Title) Payroll Administrator of Garnishee,
Barnes + Noble Inc a corporation, organized under the laws of the State of
New York.

On August 25, 2003, Garnishee was served with the Writ of Continuing Garnishment. For the pay period in effect on that date:

Yes No

✓ 1. Defendant was in my/our employ.

2. Pay period is _____ weekly, ✓ bi-weekly
_____ semi-monthly, _____ monthly.

8-24-03

Enter date present pay period began.
(Present means the pay period in which
this order and notice of garnishment were
served)

9-5-03

Enter date above pay period ends.

3. Enter amount of net wages. Calculate below:

(a) Gross Pay	\$ 1057.69
(b) Federal income tax	\$ 76.15
(c) F.I.C.A. income tax	\$ 80.91
(d) State income tax	\$ 40.41
Total of tax withholdings	\$ 197.47
Net Wages	\$ 860.22
(a less total of b,c,d)	

4. Have there been previous garnishments in effect?
If the answers is yes, describe below.

No

5. The Garnishee has custody, control or possession of the following property (non-earnings), in which the Debtor maintains an interest, as described below:

	<u>Description of Approximate Property</u>	<u>Value</u>	<u>Description of Debtor's Interest in Property</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

Garnishee anticipates owing to the judgment-debtor in the future, the following amounts (wages):

	<u>Amount</u>	<u>Estimate date or Period Due</u>
1.	\$ 1057.69	9-19-03
2.	\$ 1057.69	10-3-03
3.	\$ 1057.69	10-17-03
4.	\$ 1057.69	10-31-03

(Check the applicable line below if you deny that you hold property subject to this order of garnishment.)

_____ [The Garnishee makes the following claim of exemption on the part of Defendant:]

_____ [Or has the following objections, defenses, or set-offs to Plaintiff's right to apply Garnishee's indebtedness to Defendant upon Plaintiff's claim:]

_____ [The Garnishee was then in no manner and upon no account indebted or under liability to the Defendant, and that the Garnishee did not have in his/her possession or control any property belonging to the Defendant, or in which the Garnishee has an interest; and is in no manner liable as Garnishee in this action.]

with store mail - ^{to store} #2996

The Garnishee mailed a copy of this answer by ~~first-class mail~~ to (1) the Debtor, Donna Wench at _____

_____ and to (2) J. JUSTIN BLEWITT, JR., Assistant U.S. Attorney, P.O. Box 309, Scranton, Pa 18501.

Garnishee for Barnes + Noble, Inc.

Subscribed and sworn to before me this 26th day of August, 2003.

[Signature]
Notary Public
(Seal)

My Commission expires: _____

PETER J. GENTILINI
NOTARY PUBLIC, State of New York
No. 5010376
Qualified in Nassau County
Commission Expires March 29, 2007